

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

TA No.535 of 2017(O&M)
Date of Decision: 11.07.2017

Rekha Rani

...Petitioner

Vs.

Harbans Lal

...Respondent

CORAM:-HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. Ravi Kapur, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J. (Oral)

No valid ground is made out to transfer under Section 9 the proceedings of The Hindu Marriage Act only because the other civil and criminal proceedings and a complaint is pending in the District Courts at Jalandhar. It is the argument of the learned counsel that substantial hardship and inconvenience will be caused to the wife if she has to oppose the application for restitution of conjugal rights filed by the husband at Hoshiarpur. While this Court considers an application for transfer of a case from one District to the other, it has to broadly balance out the interests and convenience both husband and wife while they are litigating and it is not inevitable that cases filed by the husband should be transferred where the wife lives. In any case, the distance between Jalandhar and Hoshiarpur is not substantial and being a civil proceedings, her presence is not required on every date and the matter can be looked after by her counsel. It is only when the evidence starts and her turn comes to depose and that will take some time.

I find no reason or justification to allow the application and

hereby dismiss it.

(RAJIV NARAIN RAINA)
JUDGE

11.07.2017

neeraj

Whether speaking/reasoned

Yes/No.

Whether reportable

Yes/No